

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

RICHARD L. SIMMONS, )  
                          )  
Plaintiff,            )  
                          )  
v.                     )                          No. 1:14CV00167 ACL  
                          )  
DANNY DODSON, et al., )  
                          )  
Defendants,            )

**MEMORANDUM AND ORDER**

Plaintiff has filed several motions. All of the motions are frivolous, and they are summarily denied.

Plaintiff seeks to pursue criminal charges against Defendant Janet Warren. (Doc. 51.) The motion is frivolous because only the United States Attorney's Office can file criminal charges in federal court.

Plaintiff moves to amend his Complaint by interlineation. (Doc. 53.) The Court has already explained to Plaintiff that, in order for the Complaint to be amended, a motion along with a proposed amended complaint that includes **all** of his claims must be filed.

Plaintiff moves for leave to "proceed with discovery." (Doc. 54.) The Court previously explained that discovery is not authorized until the Case Management Order is issued.

Plaintiff has filed a motion to "resend summary judgment proclamation and motion for discovery of medical invoices." (Doc. 55.) The Court has already denied Plaintiff's Motion for Summary Judgment. Summary judgment is not proper until discovery has commenced.

The Court warned Plaintiff that if he continues to file frivolous and repetitive motions, the Court may dismiss this case. It appears that Plaintiff did not receive the warning until after

he placed his motions in the prison mail system. The Court again warns Plaintiff that the filing of frivolous motion wastes judicial resources and that, if he continues to file such motions, the Court has the discretion to dismiss this case without further proceedings.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Amend to File Criminal Charges (Doc. 51), Motion to Amend as a Matter of Course on Policy (Doc. 53), Motion for Leave to Proceed to Discovery Phase (Doc. 54) and Motion to Resend Summary Judgment (Doc. 55), are **DENIED**.

Dated this 30<sup>th</sup> day of June, 2015.

  
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ABBIE CRITES-LEONI  
UNITED STATES MAGISTRATE JUDGE